

# **EXHIBIT A**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<b>DOROTHY FORTH, et al.,</b>  <b>v.</b>  <b>WALGREEN CO.</b>	Case No. 1:17-cv-02246  Judge John Z. Lee Magistrate Judge Sheila Finnegan
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**DECLARATION OF VINCENT CORNACCHIA OF EXPRESS SCRIPTS, INC.  
("ESI")**

I, Vincent Cornacchia, declare under penalty of perjury that the following is true and correct:

1. I make this declaration pursuant to Federal Rules of Evidence 803(6), 901(b)(1), and 902(11) for the purpose of authenticating certain records below. I have personal knowledge of the matters set forth herein and, if called upon, I could and would competently testify thereto.

2. I am employed by Evernorth, formerly known as Express Scripts, Inc. ("ESI"). I am a duly authorized Custodian of Records or other qualified witness for ESI.

3. I began employment with Medco Health Solutions, Inc. ("Medco") on September 13, 2004 and have been employed by the same entity through its acquisition by ESI, and ESI's rebranding into Evernorth, effective January 1, 2021. My current job title is Director, Market Analytics – Knowledge Solutions. Through my job duties, I have become familiar with ESI's record-keeping, document retention, and document destruction policies.

4. I am familiar with how ESI acquires business records and how they are maintained in the ordinary course of ESI's business.

5. ESI was served with civil subpoenas for documents by Plaintiffs in *Forth v. Walgreen Co.*, No. 1:17-cv-02246 (N.D. Ill.) ("Subpoenas").

6. I understand that beginning in 2008, Medco acted as the pharmacy benefit manager for International Union of Operating Engineers Local 295-295c Welfare Fund (“IUOE”), a non-profit trust that provides healthcare benefits to participants and a plaintiff in *Forth v. Walgreen, Co.* I also understand that ESI began acting as the pharmacy benefit manager for IUOE in or around 2012, after ESI acquired Medco.

7. Medco and ESI created and maintained records associated with prescription drug transactions that were stored in centralized data warehouses. Such records were made at or near the time Medco and/or ESI adjudicated a claim associated with the purchase of a prescription drug. Making such records was a regular practice of Medco and ESI, and Medco and ESI created and maintained such records in the course of Medco and ESI’s regularly conducted business activities. The creation of such records was a core aspect of Medco and ESI’s businesses and resulted in accurate records reflecting prescription drug transactions. After ESI acquired Medco, the records available in Medco’s centralized data warehouse were transferred to and could be retrieved by accessing ESI’s centralized data warehouse.

8. ESI has produced to IOUE’s counsel records Bates-stamped ESI-0001548 and ESI-0001549 containing transactional data for prescription drug purchases by beneficiaries of IUOE made at Walgreens Pharmacies (the “Records”). The Records reflect the ESI and Medco records contemporaneously made during the time and currently available, based upon the claim-identifying information provided to ESI by IUOE’s counsel (e.g., carrier name or DIV ID), in ESI’s centralized data warehouse that reflect prescription drug purchases by beneficiaries of IUOE made at Walgreens Pharmacies from January 13, 2007 to February 19, 2021 that were completed and not reversed. The transactional data contained in the Records accurately reflects the records available in ESI’s centralized data warehouse.

9. The Records are duplicates of the original records in the custody of ESI.

10. The Records, and the transactional data contained therein, were made by persons with knowledge of, or made from information transmitted by persons with knowledge of, the matters contained therein.

11. The Records, and the transactional data contained therein, were made at or near the time of the occurrence of the matters described therein.

12. The Records, and the transactional data contained therein, were made as part of the regular practice of ESI's/Medco's business activities.

13. The Records, and the transactional data contained therein, were kept in the course of ESI's/Medco's regularly conducted business activities.

14. Certain values in the Records reflect a negative dollar amount. These negative figures represent claims to which adjustments were made after the paid invoice cycle. The figures represent the finalized transactions that Medco and ESI invoiced to IUOE.

15. Attached to this declaration is a true and correct copy of an addendum defining the column headers utilized in the Records (the "Addendum").

16. The Addendum was made by ESI by persons with knowledge of, or made from information transmitted by persons with knowledge of, the matters contained therein.

17. The Addendum includes definitions created and maintained by ESI in the course of ESI's regularly conducted business activities. The definitions included in the Addendum are relied upon by ESI employees to understand the definitions of the column headers utilized in the Records and the meaning of the records associated with prescription drug transactions that are stored in ESI's centralized data warehouses.

[Signature Page to Follow]

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 26th day of May, 2021.

/s/ *Vincent Cornacchia*

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